

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

ANTHONY GIOMBETTI and DON  
VANDENHEUVAL, Individually And  
On Behalf Of All Others Similarly Situated,

Plaintiffs,

- against -

CHINA SUNERGY CO. LTD.,

Defendant.

Civil Action No. 07-cv-09689 (DAB)

**STIPULATION AND ORDER  
EXTENDING TIME TO  
RESPOND TO COMPLAINT**

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned counsel, that Defendant China Sunergy Co., Ltd.'s time to answer, move or otherwise respond to the Complaint shall be extended through and including thirty days from the date that the Court appoints lead plaintiff pursuant to 15 U.S.C. § 78u-4(a)(3)(B).

Dated: New York, New York  
January 17, 2008

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SO ORDERED:

HONORABLE DEBORAH A. BATTES  
UNITED STATES DISTRICT JUDGE